

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 2:20-mj-00081

TERICA ELLIS,

Defendant.

ID/REMOVAL/DETENTION HEARING
VIA SKYPE VIDEO RECORDING

BEFORE THE HONORABLE CHARMIANE G. CLAXTON, JUDGE

WEDNESDAY

23RD OF SEPTEMBER, 2020

LISA J. MAYO, RDR, CRR
OFFICIAL REPORTER
FOURTH FLOOR FEDERAL BUILDING
MEMPHIS, TENNESSEE 38103

A P P E A R A N C E S

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NO EXHIBITS

1 WEDNESDAY

2 September 2, 2020

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7 THE COURT: United States versus Ellis for ID
8 removal and detention hearings.

9 Is everyone prepared to go forward?

10 MR. HALL: Yes, Your Honor.

11 MS. PARKS: Yes, Your Honor.

12 THE COURT: Are we going forward on everything?

13 MR. HALL: We're going to stipulate as to
14 identification, Judge.

15 THE COURT: Okay, all right. So we're good on ID
16 and it's now just a question of removal and detention?

17 MR. HALL: That is correct, Your Honor.

18 THE COURT: All right. And Ms. Parks, if you're
19 ready to proceed.

20 MS. PARKS: Yes, Your Honor. The Government has
21 one witness. It's Detective Donny Thurmond. I believe Your
22 Honor can see him on the screen.

23 THE COURT: And before we get started, good
24 afternoon Ms. Ellis.

25 THE DEFENDANT: Good afternoon, Your Honor.

UNREDACTED TRANSCRIPT

1 **THE COURT:** And is it all right with you if we
2 have this hearing by video this afternoon?

3 **THE DEFENDANT:** Yes, ma'am.

4 **THE COURT:** All right, thank you, ma'am. Thank
5 you very much. All right, please continue, Ms. Parks.

6 **MS. PARKS:** Permission to proceed, Your Honor?

7 **THE COURT:** Yes, ma'am.

8 BY MS. PARKS:

9 Q. Could you please state your name for the record --

10 **THE COURT:** Before of course I believe we need to
11 swear him in.

12 **MS. PARKS:** I'm sorry.

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TESTIMONY OF D. THURMOND

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* * *

DONALD THURMOND,
was called as a witness and having first been duly sworn
testified as follows:

THE COURT: And if you would state and spell your
first and last name, sir, for the record.

THE WITNESS: Donald Thurmond, D-O-N-A-L-D,
Thurmond, T-H-U-R-M-O-N-D.

THE COURT: Thank you, sir. You may continue,
Ms. Parks.

DIRECT EXAMINATION

BY MS. PARKS:

Q. Detective Thurmond, where are you employed?

A. St. Louis Metropolitan Police Department.

Q. How long have you been so employed?

A. Approximately 17 years.

Q. And did you participate in an investigation of a
homicide involving victim Andre Montgomery?

A. Yes, I did.

Q. And Mr. Montgomery also goes by the name of Dre?

A. Correct.

Q. And when was the victim killed?

A. March 14, 2016.

Q. Was that approximately 8:02 p.m.?

TESTIMONY OF D. THURMOND

8

1 A. Yes.

2 Q. And where was the victim killed?

3 A. I believe it was 3964 Natural Bridge.

4 Q. And is that in St. Louis, Missouri?

5 A. Yes, it is.

6 Q. Now at the scene of the homicide did officers locate a
7 cell phone near the victim's body?

8 A. Yes.

9 Q. Was a forensic examination conducted of that cell
10 phone?

11 A. Yes.

12 Q. And were you able to identify the owner of the cell
13 phone?

14 A. Yes.

15 Q. And who did the cell phone belong to?

16 A. The victim Andre Montgomery.

17 Q. And during that examination, did you determine with
18 whom the victim spoke to prior to his death?

19 A. Yes.

20 Q. And in particular, did it involve two numbers, one
21 ending in 4415 and the second number ending in 5151?

22 A. Yes.

23 Q. And were you able to identify the user of those two
24 cell phones?

25 A. Yes.

TESTIMONY OF D. THURMOND

9

1 Q. And who was the user?

2 A. Ms. Terica Ellis.

3 Q. Now did you attempt to get subscriber information with
4 regards to the 4415 number?

5 A. Yes.

6 Q. And what if anything did you determine in your
7 investigation of the owner of that cell phone?

8 A. It was a prepaid cell phone.

9 Q. And when was it activated?

10 A. The day of the murder.

11 Q. Now when you examined the victim's phone, did you
12 observe text messages between the victim and Ellis utilizing
13 the phone number ending in 5151?

14 A. Yes.

15 Q. What if anything of significance was obtained from
16 those text messages?

17 A. Ms. Ellis advised Mr. Montgomery that she was heading
18 back to Memphis and that she would be back March 10th of
19 2016, and --

20 Q. I'm sorry. When you said she would be back March
21 10th, where was she going to?

22 A. I'm sorry; back to St. Louis.

23 Q. And where was Mr. Montgomery at that time?

24 A. I believe he was in St. Louis.

25 Q. Okay.

TESTIMONY OF D. THURMOND

10

1 A. He may have been in Texas.

2 Q. Okay. Anything else of significance with regards to
3 those text messages?

4 A. Yes. She provided Mr. Montgomery with her Instagram
5 account name, Alexis Degray. She also advised him that he
6 could delete her other number, the 5151 number, and save the
7 4415 as her new number.

8 Q. Now on the day of the homicide was there a text
9 message between Ellis and the victim Montgomery?

10 A. I'm sorry?

11 Q. On the day of the murder, was there a text message
12 between the victim and Ms. Ellis?

13 A. Yes.

14 Q. And what was the nature of that message?

15 A. I believe that message was -- refer to my notes -- he
16 texted her the address of his location.

17 Q. And is that the location he was ultimately found shot
18 to death?

19 A. Yes.

20 Q. Now did you obtain location information for
21 Ms. Ellis's phone on the day of the murder?

22 A. Yes.

23 **MS. PARKS:** Judge Claxton, are you still there?
24 Your video went out.

25 **THE COURT:** Oh, I'm sorry. Yes, I'm here.

TESTIMONY OF D. THURMOND

11

1 **MS. PARKS:** I'm sorry. I just wanted to make
2 sure you were. Okay.

3 BY MS. PARKS:

4 Q. You indicated that you obtained location information
5 of Ms. Ellis's telephone, correct?

6 A. Correct.

7 Q. And what if anything did that reveal?

8 A. That she was in the location of the murder at the time
9 of the murder and immediately following the homicide she was
10 southbound on 55, heading toward Memphis.

11 Q. And what about -- and I'm just going to refer to it as
12 a burner phone -- the number ending in 4415? Did you learn
13 about how long that phone remained active after the murder?

14 A. Yes. It was actually deactivated the day after, on
15 March 15th.

16 Q. Now did you also receive toll records associated with
17 Ellis's phone?

18 A. Yes.

19 Q. And toll records will basically tell you incoming and
20 outgoing calls, correct?

21 A. Correct.

22 Q. And what if anything of significance did the toll
23 records reveal?

24 A. After she learned the location of Mr. Montgomery she
25 contacted James Timothy Norman.

TESTIMONY OF D. THURMOND

12

1 Q. And what if any relationship does James Timothy Norman
2 have to the victim Mr. Montgomery?

3 A. He is the victim's uncle.

4 Q. What if any relationship does Norman have to Ellis?

5 A. It was a sexual relationship.

6 Q. And did you obtain location information for Norman's
7 phone?

8 A. Yes.

9 Q. And what did that location information reveal?

10 A. That he and Ms. Ellis were in the same area of the
11 hotel he was staying at, the Chase Park Plaza here in St.
12 Louis.

13 Q. And that was the day of the murder?

14 A. Correct. Also, early morning after the murder he left
15 St. Louis and flew back to Los Angeles.

16 Q. And is Los Angeles Norman's or was that Norman's place
17 of residence at the time?

18 A. Yes.

19 Q. Were you able to determine when Norman arrived in St.
20 Louis?

21 A. Yes. It was the early morning of March 14th, just
22 after midnight.

23 Q. And how were you able to determine that?

24 A. Flight records.

25 Q. Were you also able to determine when Norman left

TESTIMONY OF D. THURMOND

13

1 St. Louis?

2 A. Yes. It was the early morning of March 15th, the
3 morning after the murder.

4 Q. So he arrived the day of and left the morning after?

5 A. Correct.

6 Q. And he was staying at a hotel in St. Louis?

7 A. Correct.

8 Q. Did you learn during this investigation that Norman
9 had taken out insurance policies on the victim,
10 Mr. Montgomery?

11 A. Yes.

12 Q. Did your investigation reveal what if anything Ellis
13 received in return for her involvement in this homicide?

14 A. Yes, approximately \$10,000.

15 Q. Was a financial investigation conducted of Ms. Ellis's
16 bank account?

17 A. Yes.

18 Q. And what did that reveal?

19 A. The days after the murder she deposited approximately
20 \$9,200.

21 Q. In cash?

22 A. Correct.

23 Q. Based on this evidence in part, did a criminal
24 complaint file against Ms. Ellis on July 8th of 2020?

25 A. Yes.

TESTIMONY OF D. THURMOND

14

1 Q. And did you participate or were you aware of her
2 arrest on August 17th of 2020?

3 A. Yes.

4 Q. And where did that arrest take place?

5 A. At her residence in Olive Branch, Mississippi.

6 Q. At the time of the arrest was she represented by
7 counsel?

8 A. Yes.

9 Q. Was she advised of her rights?

10 A. Yes.

11 Q. Did she waive those rights and agree to give a
12 statement to police?

13 A. Yes.

14 Q. And was that statement video recorded?

15 A. Yes.

16 Q. Did she tell investigators what her relationship was
17 with the victim at that time?

18 A. Yes.

19 Q. And what was that relationship or how did she meet the
20 victim, Mr. Montgomery?

21 A. She met Mr. Montgomery she was working at a strip club
22 she was working at called The Bottoms Up where they exchanged
23 phone numbers.

24 Q. And was that in St. Louis?

25 A. East St. Louis.

TESTIMONY OF D. THURMOND

15

1 Q. And can you advise the Court of what she told you
2 occurred on the day of the homicide?

3 A. Yes. She received a message from Mr. Norman to meet
4 at his hotel. She responded to the hotel where she met and
5 they had sex, showered. Mr. Norman asked her if she knew Mr.
6 Montgomery. She stated she did after she observed the
7 photograph that Mr. Norman showed her. He requested her
8 assistance with locating him after he notified her of a
9 burglary that occurred at his mother's residence where
10 approximately \$200,000 in cash was stolen, and advised her
11 that he would pay her for her assistance.

12 At the time she told us that she received \$5,000 to do
13 this. It was later determined after she was confronted with
14 evidence that she said it was actually \$10,000. She and
15 Mr. Norman went to Walgreen's that was close to the hotel
16 where she obtained two burner phones, prepaid cell phones.
17 He put in a phone number for her to contact once he was able
18 to locate Mr. Montgomery.

19 She did contact Mr. Montgomery and met him at a hotel
20 called La Quinta Inn which is in St. Louis County. She
21 contacted Mr. Norman and told him that she was able to obtain
22 his location. Mr. Norman advised her that his boys were not
23 ready at that time, to stay in touch and to call the number
24 that he placed in her cell phone, the burner phone, when he
25 got another -- she got another location.

TESTIMONY OF D. THURMOND

16

1 She actually advised that she responded to La Quinta
2 hotel where she met with Mr. Montgomery. She later left,
3 went to the Galleria Mall which is located in Brentwood,
4 Missouri where she purchased a pair of pants for
5 Mr. Montgomery. He then contacted her and gave his location
6 on Natural Bridge where the murder occurred. She then
7 contacted the other phone number that was in the burner
8 phone, advising the individual on the other line of his
9 location. She could only describe him as having a deep
10 voice.

11 She then responded to the house on Natural Bridge
12 where Mr. Montgomery was, again, contacting that phone number
13 advising that she was there with Montgomery.

14 Mr. Montgomery exited the house, entered her vehicle.
15 They spoke for approximately two minutes where she gave him a
16 pair of pants. As soon as he exited the vehicle, she advised
17 us she received a phone call telling her to leave, which was
18 later proven to be false. She then pulled away from the
19 residence when she heard gunshots and immediately got on the
20 highway to head back to Memphis.

21 Immediately following the homicide, though, she
22 contacted Mr. Norman, advising him of what happened.
23 Mr. Norman advised her to dump the cell phone and stay out of
24 St. Louis.

25 Q. Did she ever call the police?

TESTIMONY OF D. THURMOND

17

1 A. No.

2 Q. Did she dump the cell phone to your knowledge?

3 A. She did. She advised that she did at a gas station
4 which was at an unknown location.

5 Q. After the murder did she have any further contact with
6 Mr. Norman?

7 A. Yes. Her, her mother and her daughter flew out to
8 Los Angeles, California where they met with Mr. Norman and
9 had dinner.

10 Q. Do you know approximately when that was?

11 A. It was days after, maybe three days after, about a
12 week after.

13 Q. Now during the interview that you had with Ms. Ellis
14 on August 17th, did she indicate who she was staying with in
15 St. Louis at the time of the murder?

16 A. It would have been one of her friends, Shontae Cruise
17 or Rolanda -- I'm sorry, Shontae Griffin or Rolanda Cruise.

18 Q. Now after she was arrested, did you go and -- did
19 investigators review her Facebook accounts?

20 A. That's in the process.

21 Q. Have y'all done any initial cursory review of her
22 accounts to see if she's had any contact with anybody since
23 she's been locked up?

24 A. Yes. There was messages to Ms. Griffin and
25 Mrs. Cruise.

TESTIMONY OF D. THURMOND

18

1 Q. And two individuals she was staying with during the
2 time of the homicide?

3 A. Correct.

4 Q. But at this point you don't know the nature of those
5 messages, correct?

6 A. I don't have those at this time.

7 Q. Do you know the last time that Ms. Ellis had
8 communications with Mr. Norman?

9 A. When we interviewed her, I believe she advised us it
10 was a month prior to her arrest.

11 Q. So about July of 2020?

12 A. Correct.

13 Q. Are you aware of Ms. Ellis's current employment?

14 A. I believe she owns her own business.

15 Q. Did she indicate any other source of income during
16 your interview?

17 A. She did. She received money from being an exotic
18 dancer.

19 Q. Did she indicate to you that she still dances, she
20 still makes money as an exotic dancer?

21 A. I don't recall that actually.

22 Q. Okay. On August 20th of this year, did a federal
23 grand jury in the Eastern District of Missouri indict both
24 Norman and Ellis for violations of 18 USC Section 1958?

25 A. Yes.

TESTIMONY OF D. THURMOND

19

1 **MS. PARKS:** If I could have just a moment, Your
2 Honor.

3 **THE COURT:** Yes, ma'am.

4 BY MS. PARKS:

5 Q. Detective Thurmond, do you see Ms. Ellis on the
6 monitor today?

7 A. I do.

8 Q. Could you point her out, just describe something that
9 she's wearing?

10 A. She's wearing a yellow jumpsuit, I believe it's a
11 white mask; and her video says West Tennessee Guest.

12 Q. And is that the individual you participated in the
13 interview on on August 17th?

14 A. Yes.

15 **MS. PARKS:** I pass the witness, Your Honor.

16 **THE COURT:** Cross, Mr. Hall?

17 **MR. HALL:** Thank you, Your Honor.

18 **CROSS-EXAMINATION**

19 **BY MR. HALL:**

20 Q. Good afternoon, Detective Thurmond. My name is Scott
21 Hall and I represent Ms. Ellis.

22 A. Good afternoon, Mr. Hall.

23 Q. Thank you, sir.

24 Were you assigned to this homicide investigation back
25 in 2016 at the time it happened?

TESTIMONY OF D. THURMOND

20

1 A. No, I was not.

2 Q. When did you first become involved in this
3 investigation?

4 A. When my partner Dave Rudolph, he was passed the
5 investigation after the initial investigator was transferred
6 out of homicide. Last year.

7 Q. Okay. Last year?

8 A. Correct.

9 Q. Okay. So for about a year now you've been on the
10 case, right?

11 A. Correct.

12 Q. And prior to August 17th, 2020, which is just a few
13 weeks ago, you were present and you conducted the questioning
14 of Ms. Ellis; is that correct?

15 A. Prior to August 17th?

16 Q. No, on August 17th. Did you -- were you the officer
17 that was questioning Ms. Ellis?

18 A. I was present during the questioning. I asked some
19 questions. My partner did most of the questioning.

20 Q. And was she also questioned by FBI agents in your
21 presence?

22 A. Yes.

23 Q. Okay. And during that time period, was that the first
24 time since 2014 or, excuse me, March 14, 2016, that Ms. Ellis
25 was questioned by anyone in law enforcement regarding this

TESTIMONY OF D. THURMOND

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1 homicide?

2 A. To my knowledge, yes.

3 Q. And to your knowledge, had anyone ever attempted to
4 pick Ms. Ellis up or attempt to talk to her about this crime
5 until the 17th of this year, of August?

6 A. Not to my knowledge.

7 Q. Now, you testified that Ms. Ellis was represented by
8 an attorney at the time that you questioned her and the time
9 she was questioned in your presence; is that correct?

10 A. Correct.

11 Q. Do you recall that attorney's name?

12 A. I do not remember her name.

13 Q. And was this an attorney based out of Memphis?

14 A. I believe out of St. Louis.

15 Q. Out of St. Louis.

16 And was this an attorney from the public -- the
17 Federal Public Defender's Office in St. Louis?

18 A. I believe so.

19 Q. Was that attorney present at the time Ms. Ellis was
20 arrested?

21 A. At her residence?

22 Q. Yes.

23 A. I don't believe so.

24 Q. Did that attorney travel from St. Louis to Memphis
25 with you and other agents?

TESTIMONY OF D. THURMOND

22

1 A. Not with us, no.

2 Q. Do you know how that attorney was appointed to
3 represent Ms. Ellis?

4 A. I believe through the AUSA's office here in St. Louis.

5 Q. So the prosecutor's office there in St. Louis, they
6 didn't appoint the attorney. Do you know how they got an
7 attorney for Ms. Ellis?

8 A. I was not involved in that process. I don't.

9 Q. So it's to your understanding the US Attorney's Office
10 in St. Louis after this complaint was filed went and got an
11 attorney to be appointed for Ms. Ellis?

12 A. I believe so.

13 Q. Okay. And then that attorney came to Memphis at the
14 same time period that you guys came down here to make the
15 arrest?

16 A. Correct.

17 Q. From the time Ms. Ellis was arrested how long was it
18 until you had her in an interview room speaking with her
19 regarding these statements that you say she made after her
20 arrest? How long was that gap?

21 A. Between one and two hours.

22 Q. Okay. And at any point in time during that period did
23 Ms. Ellis meet with her attorney alone without the presence
24 of law enforcement officers?

25 A. Yes.

TESTIMONY OF D. THURMOND

23

1 Q. And when you -- you testified that you -- when you
2 reviewed this file -- I know you just got on it last year and
3 this investigation has been going for some time -- but you
4 became real familiar with all the facts and all the evidence
5 in this case as soon as you got on it, right?

6 A. Yes.

7 Q. And the phone numbers that you testified about, the
8 specific -- I won't go over the full number -- but the one
9 ending in 4415, you stated that that was a burner phone or
10 track phone that was a prepaid cellular device; is that
11 correct?

12 A. Correct.

13 Q. And were you able to track the purchase of that phone
14 to who actually made that purchase, who actually bought that
15 phone; or is that information that was provided to you by
16 Ms. Ellis?

17 A. That was information provided to me by Ms. Ellis.

18 Q. Okay. And the number 5151, that's the number you said
19 was linked to an Instagram account that was linked to
20 Ms. Ellis; is that correct?

21 A. No. That's the number that she provided
22 Mr. Montgomery the Instagram account name of.

23 Q. Okay. And I'm curious because that was all known to
24 law enforcement back in 2016 but she wasn't questioned
25 regarding anything in this case until this year. Do you know

TESTIMONY OF D. THURMOND

24

1 why it took so long to develop Ms. Ellis as a suspect in this
2 case?

3 A. It was an ongoing investigation.

4 Q. Okay. And you stated that there was a phone number
5 that was tracked -- that was after Mr. Montgomery was shot
6 that you tracked the number ending in -- was the number
7 ending in 5151 or the number ending in 4415 that you tracked
8 on I-55 South after the homicide?

9 A. 4415.

10 Q. So the burner phone was the phone that you tracked or
11 pinged its location?

12 A. Correct.

13 Q. And the ping or the location monitor that placed that
14 phone at the Chase Park Plaza hotel, that number was also
15 tracked alongside the number that you associated with Mr. Tim
16 Norman; is that correct?

17 A. Correct.

18 Q. Who was able to confirm -- did Ms. Ellis -- was it Ms.
19 Ellis that was able to confirm for you that those two track
20 device numbers were the one that she and Mr. Norman used on
21 that day of the homicide?

22 A. She was.

23 Q. Okay. And so prior to -- and I've read the Complaint
24 and I know Your Honor has probably read this Complaint. Did
25 you help prepare the Complaint in this case that was filed by

TESTIMONY OF D. THURMOND

25

1 the Special Agent Faber, Christopher Faber?

2 A. No, I was not.

3 Q. Okay. So you weren't a part of that. Have you
4 reviewed that Complaint during your investigation?

5 A. Not entirely.

6 Q. Okay. So all of the information in that Complaint you
7 can't just really testify to its accuracy or you didn't
8 prepare it in other words?

9 A. Correct.

10 Q. Okay. When you got Ms. Ellis on -- when you arrested
11 Ms. Ellis on August 17th, 2020, were you present at the time
12 of that arrest at her residence?

13 A. No, I was not.

14 Q. And where was she taken to immediately following that
15 arrest?

16 A. Southaven, I believe their sheriff's department.

17 Q. Okay. And in your investigation I believe you
18 testified earlier that Mr. Tim Norman, he was the -- he
19 obtained a life insurance policy on his nephew Andre
20 Montgomery; is that correct?

21 A. Correct.

22 Q. It was about -- to the tune of about \$450,000?

23 A. Correct.

24 Q. And this is the same Tim Norman that's the reality TV
25 show star of Welcome to Sweetie Pie's, right?

TESTIMONY OF D. THURMOND

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1 A. Correct.

2 Q. And which were ran on the Oprah Winfrey network for
3 about five years; is that correct?

4 A. I believe so.

5 Q. And when Ms. Ellis advised you that she met Tim Norman
6 you said at the Bottom's Up strip club in St. Louis; is that
7 right?

8 A. No. That's where she met Mr. Montgomery.

9 Q. Okay. Did she state where she met Mr. Norman?

10 A. They met around 2011 or '12 through mutual friends.

11 Q. And was that while she was a performing dancer in
12 St. Louis? Do you know?

13 A. I believe so.

14 Q. Okay. And, to your knowledge, has your investigation
15 revealed that Ms. Ellis had any knowledge that this life
16 insurance policy was issued with Tim Norman being the
17 beneficiary?

18 A. I don't believe so.

19 Q. So your investigation basically doesn't indicate that
20 Ms. Ellis ever knew about this insurance policy?

21 A. I don't recall that, no.

22 Q. Okay. And when you spoke with Ms. Ellis, she did not
23 tell you that she had an understanding with Mr. Norman or
24 anyone else involved in this case that Mr. Montgomery was
25 going to be killed, did she?

TESTIMONY OF D. THURMOND

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1 A. I'm sorry; can you ask that one more time?

2 Q. When you spoke with Ms. Ellis during her statement,
3 she never indicated to you or any other agents in your
4 presence that she knew or understood that Mr. Montgomery was
5 going to be killed on March 14 of 2016, did she?

6 A. She was under the understanding that she was supposed
7 to locate him so his "boys can get up on him" is what she
8 used.

9 Q. Okay. And the reason that she stated to you -- and I
10 don't know if you were able to confirm this during your
11 independent investigation -- but was that Mr. Norman advised
12 Ms. Ellis that Andre Montgomery had burglarized Mr. Norman's
13 home and stole about \$200,000 in cash; is that correct?

14 A. Correct.

15 Q. And did Ms. Ellis advise you that Mr. Norman was
16 seeking her assistance in locating Mr. Montgomery in an
17 effort for Mr. Norman to obtain or get back a portion of that
18 \$200,000?

19 A. Correct.

20 Q. And did you through independent investigation, were
21 you able to corroborate that Mr. Norman in fact was
22 burglarized -- that there was a burglary?

23 A. Yes, there was.

24 Q. Okay. And was Andre Montgomery ever a suspect in that
25 burglary?

TESTIMONY OF D. THURMOND

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1 A. He was.

2 Q. Okay. So to your knowledge and through your
3 investigation that story by Mr. Norman to Ms. Ellis that
4 Andre was involved in a burglary was true for the most part?

5 A. Correct.

6 Q. Okay. Now on the date -- let me go back to the
7 questioning when Ms. Ellis gave you the statement. Did she
8 ever provide the name of the individual that called her and
9 told her to drive away once Mr. Montgomery exited the vehicle
10 outside the studio on Natural Bridge Road?

11 A. She did not because that phone call never existed.

12 Q. Okay. Okay. You're saying that the phone call to
13 drive away from the location never existed?

14 A. Correct.

15 Q. You were able to -- I guess a basic check of the phone
16 records from the number that she provided or the number
17 that -- the track phone number I suppose is the number we're
18 talking about, the one ending in 4415; you didn't see a phone
19 call coming in, that's why you're saying that that
20 information was not correct? Is that correct?

21 A. Yes.

22 Q. Okay. And -- but there were numbers that were
23 associated with that phone. Was there a number other than
24 the number that you associated with Tim Norman's track phone
25 that called that phone that Ms. Ellis was purported to have

TESTIMONY OF D. THURMOND

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1 had that day?

2 A. Mr. Norman didn't have a track phone. The second
3 purchased track phone was given to another individual -- I'm
4 sorry. Yeah, there were other phone calls on that track
5 phone with Mr. Montgomery and Mr. Norman and that other
6 individual.

7 Q. Okay. All right.

8 And before Ms. Ellis was interviewed, did she seem
9 cooperative during this interview?

10 A. For the most part. There were times that she was not
11 being forthcoming or truthful.

12 Q. Okay. And but she -- were there any threats made by
13 law enforcement. Not threats. I'll rephrase that. That's
14 not a fair way to rephrase it.

15 Were there any statements made to Ms. Ellis by law
16 enforcement that it was law enforcement's belief that Tim
17 Norman would have her killed?

18 A. I don't recall that.

19 Q. Were there any statements -- were there any statements
20 made -- you're saying you don't recall or are you saying it
21 didn't happen?

22 A. I just don't recall that.

23 Q. Were you present during the entire time that Ms. Ellis
24 was questioned by the FBI and other agents?

25 A. Yes.

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1 Q. Okay. And were there any other statements made
2 that -- to -- not any other, but did you witness any
3 statements at all made to Ms. Ellis by FBI, by St. Louis
4 Metro in relation to her life being at risk in this case if
5 she was not truthful and forthcoming with information?

6 A. I believe so.

7 Q. Okay. Now if it was your understanding that Ms. Ellis
8 had no information about the insurance policy, was Ms. Ellis
9 told that if she was truthful in this case -- I'll rephrase.

10 If Ms. Ellis -- during this interview, was she ever
11 told that if she was truthful and cooperative and provided
12 information that you guys could confirm to be true, that she
13 would be granted a bond in this federal case?

14 A. I did not hear anyone say that.

15 Q. Okay. And up until this August 17th, 2020 arrest,
16 there had been no other attempts to your knowledge to locate
17 Ms. Ellis or connect her with this case?

18 A. Not to my knowledge.

19 Q. So when Ms. Ellis came in and sat down with you guys,
20 she provided a lot of helpful information that filled in some
21 gaps on this case. Would you agree with that?

22 A. She verified some information but there were also some
23 things that she said that were just untruthful.

24 Q. But she did admit to you that Mr. Norman paid her
25 \$10,000 for her effort and for her participation in getting

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1 Mr. Montgomery to come outside of the studio that he was at,
2 right?

3 A. The second time around, yes, she did. First time she
4 said \$5,000, and then the second time she did tell us 10,000,
5 which is something we pretty much already knew.

6 Q. But in this case there were no -- other than these
7 phone numbers that you had, the numbers relating to
8 Mr. Norman, the numbers relating to Ms. Ellis, the track
9 phone numbers, other than having those phone numbers and
10 showing communications between those particular devices, you
11 didn't -- you couldn't state with certainty who was on those
12 phone calls and who was making those texts until Ms. Ellis
13 filled those blanks in; is that correct?

14 A. No. We already had that information.

15 Q. Okay. At the time Ms. Ellis was arrested here in
16 Memphis, did she come along cooperatively? She didn't
17 attempt to flee or run or anything of that nature?

18 A. That's correct.

19 **MR. HALL:** Your Honor, I'm almost finished, Your
20 Honor. I'm just reviewing my notes for one second, if you
21 would please.

22 **THE COURT:** Okay.

23 **MR. HALL:** Thank you.

24 BY MR. HALL:

25 Q. Detective Thurmond, I believe you stated that your

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1 review of the phone numbers that you associated with
2 Ms. Ellis, 4415 last four numbers and 5151, that there was a
3 text to Mr. Montgomery that she would be -- that Ms. Ellis
4 would be back in St. Louis on March 10, 2016. Is that
5 correct?

6 A. Correct.

7 Q. So that would have been approximately four days prior
8 to Mr. Montgomery's homicide?

9 A. Correct.

10 Q. Okay. And to your information and through your
11 investigation, did that -- was that the approximate time that
12 she arrived back in St. Louis was on March 10th of 2016?

13 A. From what she informed us, yes.

14 Q. Okay. And you stated that the records indicated -- I
15 guess the airline records indicated that Mr. Norman did not
16 arrive in St. Louis until the early morning hours, just a
17 little after midnight on March 14th, the day that
18 Mr. Montgomery was killed?

19 A. Correct.

20 Q. Okay.

21 **MR. HALL:** Judge, I don't believe I have any
22 other questions at this time.

23 **THE COURT:** All right. Redirect?

24 **MS. PARKS:** Yes, Your Honor. Thank you.

25 **REDIRECT EXAMINATION**

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1 **BY MS. PARKS:**

2 Q. Detective Thurmond, has an individual ever lied to you
3 during an interrogation?

4 A. Yes.

5 Q. And you testified that she was not completely
6 forthcoming during your interview of her, correct?

7 A. Correct.

8 Q. Now, there's been distinctions made about what was
9 known prior to her interview and things that were learned
10 after her interview, but this complaint was drafted in July
11 of 2020, correct?

12 A. Correct.

13 Q. Which contained information as to the individuals
14 associated with these various cell phones, correct?

15 A. Correct.

16 Q. Including the defendant, Ms. Ellis, and her
17 codefendant Mr. Norman, correct?

18 A. Correct.

19 Q. And you also had location information showing them in
20 the same general area during the time of the homicide,
21 correct?

22 A. Correct.

23 Q. Even showing them coming and going from St. Louis
24 after the homicide, correct?

25 A. Correct.

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1 Q. And the defense attorney has suggested that when she
2 was arrested in Olive Branch she did not attempt to flee law
3 enforcement, correct?

4 A. Correct.

5 Q. But after the homicide, what did she do?

6 A. She fled St. Louis.

7 Q. And location information showed her in what city?

8 A. After the homicide?

9 Q. Correct.

10 A. Back in Memphis.

11 Q. And so, in essence, what was learned in her statement
12 that she gave corroborated some of the information that was
13 already known to law enforcement, correct?

14 A. Correct.

15 Q. And when the defense attorney suggests that she did
16 not know for what purpose Mr. Norman or what Mr. Norman's
17 intentions were when he indicated and I think you said "boys
18 can get up on" the victim, she didn't -- did not know for
19 what purpose that was the purpose. Do you understand my
20 question?

21 A. I believe she knew the purpose, that along with the
22 \$10,000, burner phones being used, I believe she knew the
23 purpose.

24 Q. And did you testify who she contacted after the
25 murder? Did she notify of any shots fired in the area that

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1 she just departed?

2 A. No. She did not contact 9-1-1, notify anybody. The
3 only phone call she made was to Mr. Norman.

4 Q. And in the four years since this homicide has she made
5 any efforts of contacting law enforcement about what occurred
6 that day?

7 A. No.

8 Q. And you've indicated that she continues to remain in
9 contact with Mr. Norman as of July of this year, correct?

10 A. Correct.

11 **MS. PARKS:** I have nothing further, Your Honor.

12 **THE COURT:** All right, thank you, Detective. We
13 appreciate your testimony today.

14 **THE WITNESS:** Thank you, ma'am. You have a great
15 day.

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1 **THE COURT:** Any further proof, Ms. Parks? Any
2 further proof, Ms. Parks?

3 **MS. PARKS:** No, Your Honor.

4 **THE COURT:** Mr. Hall, any proof?

5 **MR. HALL:** Not at this time, Your Honor. I would
6 just acknowledge who is present in my office at this time, if
7 that's okay with the Court.

8 **THE COURT:** Sure.

9 **MR. HALL:** Mr. Fred Boler is present in the
10 court, Your Honor. He is Ms. Ellis's father. And her mother
11 is also present in the court. And I was looking for -- there
12 is other people here as well, Your Honor, that's related to
13 her, her aunt and the cousin but Sonia Evans is her mother.
14 Just acknowledgment that that's who is here in the office
15 with me for support of Ms. Ellis, Your Honor.

16 **THE COURT:** Thank you, sir, and I'm sure
17 Ms. Ellis appreciates their appearance today and their
18 support.

19 Argument, Ms. Parks?

20 **MS. PARKS:** Yes, Your Honor. First, Your Honor,
21 I would just note for the Court that this is a presumption
22 case in light of the nature of the offense and the penalty
23 for which Ms. Ellis is facing. I would submit to the Court
24 that the defense has not overcome that presumption. They've
25 put no evidence on at all to rebut the presumption, but even

1 if the Court were to consider that they had in fact rebutted
2 the presumption, I would submit that the factors set out in
3 ^ 3142(g) do not support her being released at this time,
4 but rather that she be detained.

5 With regards to the nature and circumstances of
6 the offense, on March 14th of 2016, a 20-year-old individual
7 was shot and killed in St. Louis, Missouri. The defendant is
8 charged along with Mr. Norman with that individual's death or
9 her involvement in that individual's death, and I think the
10 testimony has been that it was Ms. Ellis that lured the
11 victim out of the house, contacted the individuals that were
12 going to carry out this offense, upon their arrival, departed
13 the city of St. Louis and fled to Memphis. I would submit to
14 the Court that the nature and the circumstances of this
15 offense weigh in favor of detention.

16 With regard to the weight of the evidence, I
17 would submit the evidence is strong and we'll rely on the
18 facts that were set out in the indictment, the Affidavit of
19 the Complaint as well as the testimony of Detective Thurmond.

20 The history and characteristics of the Defendant,
21 Your Honor, I would just -- I would submit to the Court that
22 although she has a limited criminal history, she has very
23 limited employment as well.

24 The nature and seriousness of the danger to the
25 community, just relying on the nature and circumstances and

1 facts against, Your Honor, I would submit to the Court that
2 an individual who engages in this kind of activity, is able
3 to walk away from that for \$10,000 without any regrets at
4 all, I would submit to the Court suggests that she dispose a
5 danger to the community. She fled the city of St. Louis and
6 came back to Memphis and resumed her life as if nothing had
7 occurred, but yet, continues to remain in contact with the
8 individual responsible for setting this up, Mr. Norman.

9 I would submit that Ms. Ellis is also a flight
10 risk. Prior to this offense -- well, actually during and
11 around this offense, she had prior bench warrants out of
12 Shelby County. She had a failure to appear warrant out of
13 Bartlett and she has an active warrant out of Eastern
14 District of Missouri. And also, I would just direct the
15 Court back to the testimony with regards to her acts after
16 the murder. She fled the city of St. Louis. She currently
17 has absolutely no ties to St. Louis, Missouri, so I submit to
18 the Court that she dispose a risk of flight.

19 Again, Your Honor, it is in the Government's
20 position that the Defendant has not overcome the burden in
21 this case, and ask the Court to detain her, but nevertheless,
22 I would submit that considering all these factors, it does
23 suggest that she does pose a danger as well as a risk of
24 flight if the Court were to release her.

25 **THE COURT:** Mr. Hall?

1 **MR. HALL:** Thank you, Your Honor.

2 Your Honor, I would just state first that a
3 review of Ms. Ellis's record absolutely indicates that there
4 is no propensity toward violence in her past, in her history,
5 and that only -- the only convictions that she has are
6 driving-related offenses, and there have been a few bench
7 warrants issued in the -- I don't know if it was a bench
8 warrant issued, Judge, or if it was a failure to appear for
9 booking and processing. Actually there was a bench warrant
10 in 2005, 15 years ago, on a driving while license suspended
11 case which ended up with a \$65 fine. Pretty much on every
12 case she had, except in the indecent exposure, it was a small
13 fine and at most two days in jail, one of those for a driving
14 case; but Ms. Ellis is not a violent person, and if you
15 listen to the detective in this case, the detective admitted
16 this is a -- Tim Norman is a TV star on Welcome to Sweetie
17 Pie's which was a five-year series on the Oprah Winfrey
18 Network, and I would submit to the Court it's a very
19 manipulative individual but not someone that's out on the
20 street, you know, in the dark alleys. This is a prominent TV
21 figure at that time that Ms. Ellis was communicating with,
22 having sex with. It wasn't like he was in her mind a very
23 dangerous-type, gang-affiliation type individual.

24 So I would submit that he used Ms. Ellis,
25 absolutely used her, and based on the detective's testimony,

1 there was nothing in this case ever to indicate that
2 Ms. Ellis knew that there was a \$450,000 life insurance
3 policy taken out by Andre Montgomery by his uncle, Tim
4 Norman.

5 The detective admitted that they did not believe
6 that Ms. Ellis had knowledge of that life insurance policy.
7 Furthermore, the reason that's important, the detective also
8 admitted that Ms. Ellis -- or that there was actually a
9 burglary which had occurred and that Andre Montgomery was a
10 suspect in that burglary apparently that was committed
11 against Tim Norman, his uncle.

12 And mind you, both of these individuals have been
13 on that show, but if there was a burglary and Mr. Norman
14 advised Ms. Ellis that he was attempting to locate Andre
15 Montgomery for the purposes of confronting him about this
16 burglary or obtaining money that was stolen during the
17 burglary, then there would be no reason for Ms. Ellis to
18 believe that this was a murder for hire. There would be no
19 reason for Mr. Norman -- and I don't think there's any
20 evidence other than assumptions by law enforcement and the US
21 Attorney's Office that Ms. Ellis knew that there was going to
22 be a homicide. Her statement to these detectives and these
23 agents was that she did not know there was going to be a
24 homicide.

25 She may not have acted in the way that she should

1 have reacted after this happened, and I think the officer
2 said that Ms. Ellis's statements said she heard shots when
3 she drove away. She didn't respond in the way that she
4 should have responded, but that doesn't change the fact that
5 before she had no knowledge of a homicide.

6 There's just no evidence other than presumptions
7 by law enforcement, and it wouldn't make sense under what we
8 know and what they admit Ms. Ellis would have known at the
9 time that she would have had any indication that Mr. Norman
10 was going to have his nephew, the son of his brother, shot
11 and killed. She was under the impression, based on her
12 statement to law enforcement, that somebody was going to
13 confront Mr. Norman -- or Mr. Montgomery whenever he was
14 brought out or lured outside of the location that he was at,
15 but at the time she had no knowledge that he was going to be
16 shot. I don't think there's any evidence of that, and that
17 will be known for a trier of fact, but for Your Honor's
18 purposes of considering the strength or likelihood of
19 conviction, I would state that based on the detective's
20 information, had she known about the insurance policy and
21 that Mr. Norman stood to benefit nearly a half million
22 dollars from Andre Montgomery's death, there would be a
23 different argument and I would be in a far less better
24 position if that were true, but these detectives confirmed
25 that she did not know about the insurance policy. Therefore,

1 the real motive here is Mr. Norman's motive to collect on
2 this policy and to have his nephew killed to collect on this
3 policy. If she didn't know about that, she didn't know about
4 a motive to kill. She knew about a motive to address Mr.
5 Montgomery regarding a burglary and to try to recuperate
6 money that was taken from a burglary.

7 Even though she was duped and manipulated by Mr.
8 Montgomery apparently there's no indication that she's a
9 cold-blooded killer or that she had any knowledge that there
10 was going to be a killing.

11 Mr. Norman was a flashy TV star and he gave her
12 \$10,000 apparently according to her own admission for her
13 participation, but there's no reason for her to believe that
14 Mr. Montgomery was going to be killed, Your Honor. I think
15 that -- I know it's going to be a case that will go to trial.
16 These phones that Ms. Ellis told them about and confirmed
17 about, there's not voice recordings on these phone calls,
18 these phones. These are burner phones, track phones.

19 Ms. Ellis's cooperation did assist the government
20 in this case. They may believe she's not telling the truth
21 about certain things but her information -- until her
22 confession, Judge, they didn't have any reason to go
23 interrogate her and question her for nearly five years.

24 The first time they show up to her doorstep was
25 2020, on August 17, and she immediately went with an attorney

1 that was basically brought down from St. Louis and was
2 appointed prior to her arrest which is very unusual. She
3 wasn't questioned in court about this attorney. I don't
4 doubt that this is a very capable attorney, but this attorney
5 came down from St. Louis with the agents and Ms. Ellis, the
6 next thing you know, is in an interview room with the FBI and
7 homicide detectives from St. Louis giving basically a
8 confession to her involvement in this case.

9 They didn't have that before her statement to
10 them, and I'm sure the information she provided was helpful,
11 but I think that she will remain. I think that you can place
12 a tracking monitor device on her, a GPS location device on
13 Ms. Ellis.

14 She has two children that's in the presentence
15 report. She has a two year-old and a 16 year-old, and we
16 would rely on this. They're in the custody of her mother at
17 this time, but -- and the two year-old -- I don't know if --
18 she has sickle cell, I believe. It may be listed -- full
19 blown sickle cell, and it may be listed in this presentence
20 report -- pretrial services report, Judge, but she's not
21 going to run. And if the Court can put a device on her, on
22 Ms. Ellis, Judge, I think that that will suffice the fear of
23 any flight or anything of that nature. She's been here the
24 entire time.

25 And it was her practice to go back and forth to

1 St. Louis on weekends. She worked at an exotic club there.
2 It wasn't that -- she would come into town and would leave
3 after the weekend. So the fleeing the jurisdiction part was
4 just -- that was part of her normal routine was to come in
5 and then stay the weekend and then leave. It happened after
6 that.

7 But I would submit to the Court based on that,
8 Your Honor, I think that there is enough here based on the
9 testimony that Your Honor heard from this detective that can
10 justify setting a bond in this case, Your Honor. And I thank
11 you for listening to me run on and on there.

12 **THE COURT:** That's all right, Mr. Hall.

13 Counselors, thank you for your presentations and
14 argument.

15 For the benefit of Ms. Ellis and her family, I
16 want to talk about what we've discussed. Counsel on both
17 sides has mentioned the presumption. And I want to be sure
18 that there's some understanding of what we're talking about
19 so it doesn't sound like a lot of inside baseball.

20 Under the Bail Reform Act, it's the burden on the
21 United States if they're seeking the defendant be detained
22 pending a trial in their case. The burden is on the United
23 States to show that there is no condition or combination of
24 conditions that will reasonably assure the safety of any
25 other person in the community or that the person will not

1 appear at court as required; and again, that there's no
2 condition or combination of conditions that will assure that.

3 However, when an individual has been charged with
4 certain offenses, Congress has determined that those offenses
5 are so serious that there is a presumption that there don't
6 exist any conditions that will assure the safety of the
7 community and the person's appearance at court. One of the
8 charges that triggers that presumption is if an individual is
9 charged with an offense for which the penalty is -- the
10 maximum penalty is life or death. In this case, the minimum
11 penalty is life imprisonment if I'm not mistaken.

12 Mr. Hall, Ms. Parks, am I correct on that?

13 **MR. HALL:** That's correct, Your Honor.

14 **MS. PARKS:** That's correct, Your Honor.

15 **THE COURT:** And so Congress has found that being
16 charged with conspiracy to use interstate commerce facilities
17 in the commission of murder for hire resulting in death is a
18 very serious offense.

19 Let me also say as we discuss the factors that I
20 have to consider under the Bail Reform Act, that at all times
21 by the Court Ms. Ellis is presumed innocent. I have to make
22 some determinations with regard to strength of evidence and
23 the nature and circumstances of the offense charged, but as I
24 make those statements, I'm not making those statements to say
25 that in any way that I think that she's guilty because I

1 can't -- that's not for me to determine. Ms. Ellis retains
2 her presumption of innocence until such time as she elects to
3 either change her plea or until such time as a jury of her
4 peers adjudicates guilt. And so I'm just making findings for
5 purposes of this hearing.

6 The first factor that the Court has to consider
7 is the nature and circumstances of the offense charged. The
8 offense charged in this case is the conspiracy to use
9 interstate commerce facilities in commission of a murder for
10 hire resulting in death. I think the facts are well laid out
11 in the indictment in the complaint that preceded it, and
12 again Officer Thurmond -- Investigator Thurmond's testimony
13 effectively what is charged here is that Ms. Ellis was
14 utilized to secure the victim Andre Montgomery's location so
15 that others could come to that location and affect his
16 murder. The result of that would be by ascertaining his
17 location and securing his placement at that location
18 Ms. Ellis received approximately \$10,000 and codefendants
19 received other funds from life insurance policies.

20 That's the offense as charged. That's the nature
21 and circumstances of the offenses charged.

22 The second prong which Mr. Hall discussed during
23 his argument is the strength of the evidence, and Mr. Hall
24 focused on Ms. Ellis's knowledge of the extent of the
25 conspiracy and her knowledge of I guess everything that was

1 going on certainly with regard to the -- with regard to the
2 life insurance policies. I don't believe that the law of
3 conspiracy in this -- and again, this will be fleshed out
4 further in the courts in the Eastern District of Missouri,
5 but it's not my understanding of this that the law of
6 conspiracy requires Ms. Ellis to know each and every piece
7 that's going on in every corner of the conspiracy.

8 I think what Ms. Ellis did know was that she was
9 to secure Mr. Montgomery's location for others to meet with
10 him for some purpose, and that by securing his location, she
11 would be given \$10,000.

12 If your uncle wants to talk to you, even if you
13 did steal \$250,000 from him, you probably don't need to pay
14 somebody \$10,000 just to secure that meeting. And so I think
15 it goes without saying that Ms. Ellis knew there was
16 something a little more than uncle wanting to talk to nephew
17 and say, hey, why did you break in my house and steal my
18 money. And certainly her actions -- I think her unquestioned
19 actions in the wake of what happened -- she was on the scene;
20 she heard the gunshots -- I think given the nature of the
21 individuals involved, I don't think there was any question
22 but that it was well publicized in the three to seven days
23 after her departure from St. Louis that Mr. Montgomery had
24 been murdered. Then the following day to take the money,
25 deposit it and then within that week time period fly to

1 Los Angeles to meet with the individual who said, hey, can
2 you let me know where my nephew is. It belies credulity to
3 think that Ms. Ellis was completely in the dark about the
4 full extent of -- I think the essential elements of both what
5 she was a part of which is to secure Mr. Montgomery's
6 appearance for his ultimate demise.

7 So that's my take on the strength of the
8 evidence. I think the evidence is certainly there to meet
9 the essential elements of the count and is strong to the
10 Government's credit.

11 History and characteristics of the individual,
12 Ms. Ellis -- and one thing that the statute requires the
13 Court to consider are connections to the charging district.
14 And so while Ms. Ellis was in Memphis, has lived in Memphis
15 for a significant part of her life, the question, the
16 connections to the charging district are what I'm required to
17 focus on and my focus there leads me to the Pretrial Services
18 Report which shows that Ms. Ellis advised that she moved from
19 Memphis to St. Louis in 2010 and lived there until
20 coincidentally 2016, which is the year of the homicide.

21 She indicates that she later lived in Atlanta for
22 a year before returning to Memphis where she lived until she
23 moved to Olive Branch, where it appears she was in Olive
24 Branch for about a month prior her arrest.

25 Ms. Ellis is a mother of two children. She does

1 not have a passport, has never traveled outside of the United
2 States. Her interactions with law enforcement as Mr. Hall
3 indicated have been fairly minor, I mean, you know, for lack
4 of a better word. You know, driving without a driver's
5 license, indecent exposure, simple possession, really
6 nothing -- nothing outrageous, but that does not -- when
7 balanced against the seriousness of the offense, that does
8 not mandate a bond.

9 I think most -- one recommendation was that
10 Ms. Ellis be fitted with an ankle monitor and GPS monitoring.
11 Unfortunately, it's my experience that ankle monitors are not
12 difficult to remove, and in a situation where an individual
13 is facing at a minimum life imprisonment, I don't think that
14 an ankle monitor is sufficient condition to balance or to
15 eliminate the risk of flight.

16 Furthermore, Ms. Ellis's admitted conduct in the
17 wake of the events, assuming for sake of argument that
18 Ms. Ellis knew absolutely nothing about what was going to
19 happen, it is certainly of concern that money was received
20 from an individual who at the very least had -- it was more
21 than coincidence that the uncle was looking for the nephew
22 and the nephew winds up dead. The uncle is giving you a
23 large sum of money to help you find the nephew. You take
24 that money and rather than saying I can't take this, I'm
25 going to deposit -- and I understand financial factors as a

1 single mom might have precluded that -- and then further to
2 then say, I'm going to go back and meet you and that there's
3 no contact with law enforcement to say this person that I
4 just saw has been killed and I heard gunshots. To --
5 certainly one is helpful now that, you know, they've been
6 detained, but there's an opportunity in the ensuing four
7 years to be helpful that was not made, which again from a
8 risk of flight standpoint, from a concern about knowledge of
9 culpability and then whether or not there would be further
10 appearance at court given the significant penalty that's
11 available, the Court finds just that the presumption has not
12 been rebutted. I know that's not what Ms. Ellis or her
13 family or counsel were hoping to hear, but I think in
14 weighing all the factors that's the determination I have to
15 come to.

16 Ms. Ellis, at this time the Court will order your
17 remand to the custody of the marshals pending further action
18 by the district court in the Eastern District of Missouri.
19 You'll be transported by the marshal service to Missouri for
20 further action in this case.

21 Is there anything else, Mr. Hall, Ms. Parks?

22 **MR. HALL:** No, Your Honor.

23 **MS. PARKS:** No, Your Honor.

24 **THE COURT:** I thank y'all for your appearance
25 this afternoon.

1 **MS. PARKS:** Thank you, Your Honor.

2 **THE COURT:** Good luck to you, Ms. Ellis.

3 (Adjournment.)

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C E R T I F I C A T E

I, LISA J. MAYO, do hereby certify that the foregoing 52 pages are, to the best of my knowledge, skill and abilities, a true and accurate transcript from my stenotype notes of the ID/REMOVAL/DETENTION HEARING on 2nd day of September, 2020, in the matter of:

United States of America

vs.

TERICA ELLIS

Dated this 09.23.2020

S/Lisa J. Mayo

LISA J. MAYO, LCR, RDR, CRR
Official Court Reporter
United States District Court
Western District of Tennessee